

REMARKS

The final Office Action mailed March 9, 2011, has been received and carefully considered. Allowance of claim 4 is noted with thanks.

In order to advance prosecution and place the Application in allowable condition, claim 1 has been amended to include the limitations of allowable claim 4 so that support is believed manifest. Claim 4 has been cancelled. To the best of the undersigned attorney's information and belief, these changes contain no new matter.

Claims 1, 2, and 7 are now active in the Application and are submitted to be in allowable condition. Claim 1 is independent. Claims 8 and 9 have been withdrawn.

Request for Rejoinder - Claims 8 and 9 have been withdrawn as non-elected in responding to a restriction requirement. When the Examiner finds the elected claims allowable, Applicants request that claims 8 and 9 be rejoined and examined in this Application since the speed reduction gear of claim 8 includes the composition of claim 1 and the electric power steering apparatus of claim 9 includes the speed reduction gear of claim 8.

Entry of this Amendment After Final Rejection is requested – This Amendment is believed to place the claims in allowable condition without requiring any undue substantive consideration or a further search of the prior art. That is, while rejoinder of withdrawn claims 8 and 9 has been requested, the speed reduction gear of claim 8 includes the composition of claim 1 so that claim 8 is believed to be in allowable condition and the electric power steering apparatus of claim 9 includes the speed reduction gear of claim 8 so that claim 9 is likewise believed to be in allowable condition.

1. The continuing rejection of claims 1, 2, and 7 under 35 U.S.C. §103(a) as unpatentably obvious over Nakatani et al. (US 2003/0176298) in view of Aoki et al. (US 5,354,487) is believed moot.

Applicant believes that this ground of rejection is moot in view of amendment of independent claim 1 to include the limitations of allowable claim 4 so that independent claim 1 is in allowable condition, as well as dependent claims 2 and 7, and withdrawn claims 8 and 9 for analogous reasons. In view of this, Applicant considers that this ground of rejection should be withdrawn.

II. The objection to claim 4 as being dependent upon a rejected base claim but allowable if rewritten is noted with thanks.

In order to advance prosecution and place the claims in allowable condition, independent claim 1 has been amended to include the limitations of allowable claim 4. Accordingly, claim 4 has been cancelled so that this ground of objection is moot and should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1, 2, and 7 are in condition for allowance. Applicants therefore request that claims 8 and 9 be rejoined and examined in this Application. Reconsideration and passage of this case to issue are therefore requested.

Should the Examiner consider that a conference would help to expedite the prosecution of this Application, the Examiner is invited to contact the undersigned to arrange for such an interview.

No fee is believed due. If any fee is deemed due, the Commissioner is hereby authorized to charge the same to our Deposit Account No, 18-0002 and is requested to advise us accordingly.

Respectfully submitted,



June 8, 2011
Date

RHB/AJW/vm

Robert H. Berdo, Jr. (Reg. No. 38,075)
Rabin and Berdo, PC
CUSTOMER NO. 23995
1101 14th Street, N.W., Suite 500
Washington, D.C. 20005
Tel.: (202) 371-8976
Fax: (202) 408-0924